



United States v. Alexander Holcomb

2021 | Cited 0 times | Eighth Circuit | December 10, 2021

United States Court of Appeals For the Eighth Circuit _____

No. 21-2042 _____

United States of America

|||||Plaintiff - Appellee

v.

Alexander Rene Holcomb

|||||Defendant - Appellant _____

No. 21-2044 _____

United States of America

|||||Plaintiff - Appellee

v.

Alexander Rene Holcomb

|||||Defendant - Appellant _____

Appeals from United States District Court for the Southern District of Iowa - Eastern _____

Submitted: December 7, 2021 Filed: December 10, 2021 [Unpublished]

Before LOKEN, SHEPHERD, and STRAS, Circuit Judges. _____

PER CURIAM.



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In these consolidated appeals, Alexander Holcomb appeals the sentence imposed by the district court¹ after he pleaded guilty to drug, firearm, and fraud offenses in two separate cases--instituted by separate indictments--which were consolidated prior to the plea hearing. His counsel has moved for leave to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that the sentence was unreasonable.

Upon careful review, we conclude that the district court did not impose a substantively unreasonable sentence, as the court properly considered the factors listed in 18 U.S.C. § 3553(a) and did not err in weighing the relevant factors. See *United States v. Feemster*, 572 F.3d 455 , 461-62 (8th Cir. 2009) (sentences are reviewed for substantive reasonableness under deferential abuse of discretion standard; abuse of discretion occurs when court fails to consider relevant factor, gives significant weight to improper or irrelevant factor, or commits clear error of judgment in weighing appropriate factors). Further, the court imposed a sentence below the Guidelines range. See *United States v. McCauley*, 715 F.3d 1119 , 1127 (8th Cir. 2013) (noting that when district court has varied below Guidelines range, it is “nearly inconceivable” that court abused its discretion in not varying downward further).

¹ The Honorable John A. Jarvey, Chief Judge, United States District Court for the Southern District of Iowa.

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We have also independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), and we find no non-frivolous issues for appeal. Accordingly, we affirm, and we grant counsel leave to withdraw. _____

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